

Harrington Park
PLANNING BOARD
RESCHEDULED MEETING MINUTES
Tuesday, October 3, 2017 @ 8:00PM

Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Roll Call	PRESENT	ABSENT
Chairman John CAPAZZI	X	
Vice-Chair Peter ARDITO	X	
Mayor Paul HOELSCHER	X	
Councilman Allan NAPOLITANO	X	
Member Richard McLAUGHLIN	X	
Member Philip LEE		X
Member Robert WALDRON		X
Alt. #1 BARRAGATO	X	
Alt. #2 SEYMOUR-JONES	X	

Also Present: Jennifer Knarich, Legal Counsel
Anthony Kurus Neglia Engineer
Richard Preiss, Planner
Carolyn Lee, Secretary

INVOICES FOR APPROVAL

Price, Meese, Shulman & D'Arminio, P.C.	Allegro Escrow	\$1,590.00
Price, Meese, Shulman & D'Arminio, P.C.	General	\$1,485.00
Price, Meese, Shulman & D'Arminio, P.C.	COAH	\$2,153.80
Philip Preiss Grygiel	Affordable Housing Trust	<u>\$4,218.50</u>
	TOTAL	\$9,447.30

Vote to Approve Invoices	MOTION	SECOND	YES	NO	ABSTAIN
Chairman John CAPAZZI (JC)			X		
Vice-Chair Peter ARDITO (PA)			X		
Mayor Paul HOELSCHER (PAH)			X		
Councilman Allan NAPOLITANO (AN)			X		
Member Richard McLAUGHLIN (RM)	X		X		
Alt. #1 Jesse BARRAGATO (JB)			X		
Alt. #2 Arnold SEYMOUR-JONES (ASJ)		X	X		

MINUTES FOR APPROVAL

No minutes for approval.

APPLICATION HEARINGS

223 Lynn Street – cont'd hearing

223 Lynn applicants requested to adjourn to November 8, 2017. The hearing for 223 Lynn Street will not be heard until November 8.

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Allegro – Final Application

Mr. Podvey provided a list of additional exhibits to be presented. A-49 should be removed. There will be testimony on why A-49 is not provided. There is a letter from the Harrington Park Fire Marshal and the Soil Conservation Letter that the professionals have. Exhibit A-46 will be distributed later during testimony. Ms. Knarich will note that A-49 in resolution will indicated that is not provided.

It was noted that the application has previously provided the proofs of notice to the planning board for this application.

Mr. Podvey would like to start with the conditions in the resolution that was adopted by this board. Two letters are the Board exhibits by Neglia Engineering and Phillips Preiss and Grygiel. Mr. Podvey noted that the one of the letters was received this morning. He would like to ensure that everything is covered.

Allegro's engineer, architect and planner are present as well as its representatives.

Page 32 of the resolution.

Ms. Knarich swore in Anthony Kurus, Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ and Richard Preiss, Phillips Preiss Grygiel, 33-41 North Street, Hoboken, NJ.

The resolution has the following conditions, which includes but is not limited to::

1. Affordable housing requirement. In Mr. Preiss' review there is an indication is not dealt with in the architectural plans. Mr. Podvey has done in the past to guarantee that the Medicaid units gets built, include it in part of the developers agreement or part of the deed that would go with of the property. This is what Mr. Podvey proposes.
2. Off site requirement. A contract has been circulated to BCUW. The contract to must go through the off site requirement to be met. In order for he Borough to sign off on Fair Share Housing Plan and for the Special Master to do so as well, the parties will need to agree on what the contract will say and will need to work with Mr. Dineen, Borough attorney. Mr. Podvey hopes that the court process will be completed by the end of the year.
3. Paving stones will **be added** by the engineer to satisfy this condition.
4. Wolmanized Douglas Fir timber guide rail. They have found a more environmentally friendly material.
5. Unicam – Exhibit A-46 Architect will testify.
6. Traffic report – A-50
7. Storm Drain pipe
8. Approval by the fire department. An email from the Fire Marshal has approved the plans.
9. Revisited plan of videoing the sewer line.
10. Escrow funds and bonding – Engineers and CFO will be working on.
Mr. Kurus – The applicant will give Neglia a general estimate of site cost. Neglia will review and prepare an estimate and turn into a bond estimate. It will be part of the developer agreement.

Phillips Preiss Grygiel Review (dated September, 28, 2017)

Items #15 to 20 – Mr. Podvey discussed that there was testimony at the April 18 hearing for Final Site Plan and Final subdivision approval. Allegro agreed to the conditions modified and is bound by transcripts of the hearing. #21 – New Subdivision map and new survey distributed. Mr. Kurus and Allegro worked through all the details. This should satisfy item #21.

Allegro has met most of the conditions in the original resolution. Mr. Podvey would like to thank Mr. Kurus, Ms. Knarich and Mr. Preiss for their help in getting to this point.

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Ms. Knarich will have the Borough professionals review.

Ms. Knarich swore in Lisa DiGerolamo, 67B Mountain Boulevard, Warren, NJ. She had previously listed her qualifications.

Ms. Knarich clarified that the 2 review letters noted that there was relief granted for size of efficiency units. This variance was taken off the table and was not granted. This might have been taken from a list of previous variances. The applicant's list is accurate.

Neglia Final Site Plan Review No.1 (dated Sept.27, 2017):

#10 - Existing storm drains. Pipe will be connected to the head wall.

#13 & 14 – Additional Piping will complete. It has not started at this point. It will take about 1 days work. It is a matter of getting a contractor on board and organizing traffic control.

#15 – additional work of monitoring started in Aug and completed in late Sept. They are working on formatting the data and will forward the information when it is completed.

New Minor Subdivision drawing and Site Plan (A-43, A-44)

#35– Mr. Kurus' office received the information and the surveyors have been reviewing the information. Mr. Kurus' understanding is that they surveyor are on the same page. Mr. Kurus believes that they have represented that they can address all the comments. Neglia needs to take a final look.

#39 – Allegro has Bergen Soil Conservation approval. They have provided submission and received comments from the county and Harrington Park. Allegro plans to comply with what the county asked for (A-52).

- The letter Harrington Park Fire Marshal was distributed. (A-51)

- DEP – Allegro already has their approval and conditions were marked earlier as far as the preliminary approval.

#42 - The escrow will follow with approval.

#44 – The performance guarantee, inspection fees and developers agreement will follow approval.

Board has no comments.

Neglia Final Site Plan Review No.1 - Mr. Kurus reviewed this report.

Pg.3 – The number of units will be addressed in an exhibit.

Pg.4 – Technical comments. Site Plan, Circulation and Parking. Neglia spoke to the engineer and worked out the comments with respect to circulation in the original submittal. Allegro has addressed the ADA parking, the location of the stall, and dead end aisles.

#2 Fire Truck access exhibits doesn't show entire route. This is an outstanding item. Mr. Barragato indicated that he did not have a circulation plan to review.

Traffic impact statement – Ok with analysis and findings.

#9 Rain garden calculations has not been provided. It will be subject to the percolations testing prior to construction. Neglia has the factor of safety regardless of what comes up for the percolation testing.

#10 We heard the testimony that the headwall will be repaired.

#11 Comments about Stormwater Management report was addressed with the latest report.

#12 Location of the fire hydrant and the FDC. Allegro will need to comply with the Fire Marshal and Fire Dept.

#13 Televising of the existing sewer line – they would do that prior to construction

#14 Televising existing sewer – They will prior to construction

#15 Sanitary sewer flow monitoring Study- began in August and has been completed. Neglia can expect data for review shortly.

#16 A statement to be added to storm water maintenance manual. The borough request copies maintenance reports and maintenance records on an annual basis for when they put together their compliance statement at the end of each year.

Landscaping and Lighting

#17 Rain garden – updated

#18 Tree removal replacement plan was addressed.

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#19 No issue for the Landscape Plan subject to any additional comments for the planner and Environmental Commission

#20 Co-ordination item during construction

#21 Details revised

#22 Off-site tree mitigation - Ms. DiGerolamo indicated that it is on the survey.

#23 Construction detail of light pole to be provided prior to construction.

#24 No objections to the revised lighting plan.

Minor Subdivision – received updated map and addition descriptions

What has been submitted will address comments #25 to #35.

Ms. DiGerolamo provided testimony for

#25 Copy of the current deed has been provided

#26 Easement will be maintained. Mr. Podvey discussed with Mr. Kurus that it will stay and not be eliminated.

#27 The tax map has been included. Mr. Podvey added that it is referenced #3 on the subdivision map.

#28 The 8ft wide easement for the road has not been included as part of the parcel.

#29 Statement has been added to plan in a table.

#30 Set back lines and applicable buffer lines were added and completed.

#31 Statement has been clarified.

#32 Description has been updated and corrected.

#33 Statement has been added to plan (#4).

#34 Correction to text was noted.

#35 The written description for the remainder of the easement has been provided. Ms. DiGerolamo has copies and provided them to Ms. Knarich.

Phillips Preiss Grygiel Review

Mr. Preiss mentioned that the remaining comments deal with architecture and the landscaping.

#6 –Paving Stones – Ms. DiGerolamo provided exhibit A-53 (2 photographs of sample paving material). It will be similar to color, shape and size. Approval will be during construction. The Borough Engineer and Borough Planner must approve the pavers.

#8 Wolmanized Douglas Fir is not friendly to the environment next to the reservoir. Wolmanized is a treatment to the lumber. ACQ – chemical treatment is sensitive to the reservoir and will be used.

Board has no questions.

MEETING OPEN TO THE PUBLIC

Motion: RM

Second: PA

Vote: All in Favor

No questions for the Engineer from the public.

MEETING CLOSED TO THE PUBLIC

Motion: PA

Second: JB

Vote: All in Favor

Ms. Knarich swore in Daniel King, 227 Lancaster, PA. Mr. King was previously sworn in.

Neglia Final Site Plan Review No.1

Pg. 3 - Mr. King referred to A-46 in the architectural plans. Neglia received this by email this week. This table provides information that compiles with the ordinance requirements. This is part of the table to be put on the plans A-46. Ms. Knarich confirmed with Mr. King that it is the same chart in the resolution but it notes the percentage of unit. This table is acceptable to Mr. Kurus.

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Pg. 6-7 – #37, #38 architectural review that was covered in prior testimony. Mr. King indicated there were no changes. The matrix takes care of the proposed

Architectural Building Review

#36 Matrix will go on final site drawing.

#37 Designated location for mechanicals. Screen will be sufficient for visual and acoustic. They will make an effort to make the equipment lower than the roof.. Mr. King said they will make the effort for it to be lower than the peak. The professionals will need to review final plan.

#38 Exterior A1.06 is consistent with plans. Exterior will be Brown/grey stone with more earth tones and colored siding. Mr. Ardito is OK with exterior.

Phillip Preiss Grygiel Review

#9 – Satellite dish will be in the same general location. There should be no issue with screens. It will be near the peak of building, but not noticeable.

#14 Previously covered.

Fountain - #4 (pg.3) A1.09 was referenced to indicate that we have it.

Mr. Preiss noted to the applicant that the plan that is submitted and approved is what will be built.

Mr. Podvey asked for flexibility clause. Ms. Knarich vetted this clause through board engineer and board planner. If the plans are substantially changed the applicant come back for amended site plan. Changes in construction such as if unit size, mix of units or floor plans change should be brought to board engineer and board planner. There was discussion about the construction official approving changes. Ms. Knarich noted that changes will be reviewed by the board engineer and planner. The board engineer and planner will determine if the change is substantial and determine if it is required to be brought to the board for changes.

Phillip Preiss Grygiel Review – Affordable housing

#1 Mr. Preiss agrees with 10% Medicare units affordable and should be part of the developer's agreement or the deed. The borough would provide to the court a report that they are in compliance with the fair share plan. The applicant should provide on a yearly basis a report on the maintenance of the 10% of the units. Possibly identify where the units are in the building.

Ms. Knarich swore in Edward Snieckus, 25 Westwood Ave, Westwood, NJ. Mr. Snieckus agreed to annual reports.

#2 Fair Share – Mr. Preiss suggested a 3-way agreement with Bergen County United Way, Allegro and Harrington Park. If United Way can't build the units, Allegro should build the units. Podvey indicated that a 3-way agreement is in process. Allegro is not expected to go to a building permit before the end of the year. They need to get a developer agreement. If approved tonight, Allegro, Mr. Dineen, Ms. Knarich and Mr. Preiss to work out the details on what needs to be done for the agreement. After this discussion, Mr. Preiss was satisfied.

Architecture was open to board for questions.

Mr. Barragato asked about the storage closets for fire equipment. It was not on the floor plan. Mr. King mentioned that they storage closets are currently not on the plan, but they will be.

No questions from the professionals.

Open to Public

Motion: PAH

Second: ASJ

Vote: All in Favor

No question from the public.

Close to Public

Motion: PAH

Second: ASJ

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Vote: All in Favor

Landscape and Lighting (Neglia Report)

- #17 - location of the overflow pipe - done
- #18 - revised the tree removal and tree replacement plan to be consistent
- #19 - landscape plan addressed comments from an earlier report from Neglia
- #20 - adjustment to landscape plan due to surface root will be coordinated with professionals
- #21 - tree planting details have been revised as requested
- #22 - off site tree mitigation is not their realm
- #23 - Request for light pole details prior to construction. Allegro is proposing a light fixture connected to a retaining wall. Allegro will need to submit later with the final details.
- #24 - The Lighting Plan has been addressed to the resolution. There have been no changes to lighting plan and is consistent with the testimony. Mr. Kurus has reviewed the documents and they are acceptable.

Phillip Preiss Grygiel Review

- #10 - revised the concept of plan from Mr. Hakim. A-48 LPJ-1 shows revised landscape plan. The applicant has a budget of \$17,000 for the landscaping of the jug handle. Applicant will commit to town to provide funds to the shady tree fund to plant trees offsite. Allegro will talk to professionals and the Environmental Commission. The applicant addressed reduction of 2 parking spots and proposed elms that can take the environment of a parking lot. Mr. Ardito deferred the question to Mr. Preiss who indicated that elms would be acceptable. The applicant revised the landscape plan to ensure the understory trees to be 7-8ft and plant in and around the existing trees.
- #11 - has not changed.
- #12 - plans have been revised that light posts and fixtures will be black in color. Agreed to post construction to adjust lighting.

Board had no questions.

Open to Public

Motion: PA
Second: ASJ
Vote: All in favor

No questions from public for the planner and landscape architect.

Closed to Public

Motion: PA
Second: ASJ
Vote: All in Favor

Ms. Knarich reviewed the resolution:

Pg.38 #4 Cap on the height is still applicable. Contract with a private ambulance service will be determined post construction.

- #6 - addressed
- #7- advise the board Planner and Engineer will review changes to the building elevations.
- #8 - Soil Movement application - not there yet

Board Questions

Mr. Ardito asked about an estimated completion time.

Ms. Knarich swore in Mr. Joe Miklich, 212 South Central Avenue, St.Louis, MO. If they break ground in May or June there would be an 18-20 month build out depending on weather conditions.

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Vote to approve: <ul style="list-style-type: none">- Final Subdivision Plan- Final Site Plan- Amendment to the Site Plan for assisted living	MOTION	SECOND	YES	NO	ABSTAIN
Chairman John CAPAZZI (JC)			X		
Vice-Chair Peter ARDITO (PA)		X	X		
Mayor Paul HOELSCHER (PAH)			X		
Councilman Allan NAPOLITANO (AN)			X		
Member Richard McLAUGHLIN (RM)			X		
Member Philip LEE (PL)					
Member Robert WALDRON (RW)					
Alt. #1 Jesse BARRAGATO (JB)			X		
Alt. #2 Arnold SEYMOUR-JONES (ASJ)	X		X		

ADJOURN

Motion: SJ

Second: PA

All in Favor

Adjourned at 9:40PM

NEXT SCHEDULED PLANNING BOARD
RESCHEDULED MEETING
Wednesday, Nov. 8, 2017